

REVISED ADMINISTRATIVE PROCEDURES

The administrative procedures have been extensively revamped to more closely conform to the model rules on electronic filing. The major changes are as follows:

1. Attorneys may no longer submit documents to the clerk's office on paper or on floppy disks for filing, but must file them electronically. Documents may be brought to the clerk's office on CD-ROMs if saved in a PDF format. (Civ and Crim Admin Proc I.A).
2. An attorney who fails to register as a system participant or who fails to file case documents electronically can be ordered to show cause why sanctions should not be imposed. (Civ and Crim Admin Proc I.A.2).
3. The privacy provisions have been revised to reflect the changes brought about by both the E-Government Act of 2002 and the policy of the Judicial Conference. (Civ Admin Proc II.C.1, II.I.1-2; Crim Admin Proc I.B.5-6, II.I.1-2). Of particular note, when a transcript contains specific personal data identifiers that must be redacted before the transcript becomes remotely accessible to the public, counsel of record is required to file a "notice of intent to file redaction," followed by a "redaction request" that directs the reporter to redact the personal data identifiers from the transcript. (Civ Admin Proc I.A.4, II.A.9, n.9; Crim Admin Proc II.B.1, n.8).
4. Pro se parties will now be permitted to register for passwords to file documents electronically in their cases. By registering, the pro se party consents to electronic service. (Civ and Crim Admin Proc I.C.2). Unregistered pro se parties must continue to file in paper and to sign all original documents. (Civ and Crim Admin Proc III.B).
5. Paper documents brought to the clerk's office are not part of the official record of the court after the paper documents are scanned and uploaded to the system. In criminal cases, this includes original indictments, petitions to enter plea of guilty, plea agreements, or other original documents with third-party signatures. Paper documents will be returned to counsel only with prior authorization from the assigned judge. (Civ and Crim Admin Proc II.A.6).
6. The procedures now explicitly state that the three-day rule of Federal Rule of Civil Procedure 6(e) and Federal Rule of Criminal Procedure 45(e) for service by mail also applies to service by electronic means. (Civ and Crim Admin Proc II.B.4).
7. Documents requiring a non-attorney's signature can be scanned and uploaded to the system or, alternately, the document may be filed electronically with the non-attorney's signature represented by an "s/" if the name is typed in the space where the signature would otherwise appear. The filer must maintain the original signed document in paper form until all time periods for appeal have expired. A party who disputes the authenticity of the document or the signature must file an objection to the document within five days of receiving the notice of electronic filing. (Civ and Crim Admin Proc II.C.1).
8. Documents requiring signatures of more than one party must be electronically filed either by

a) submitting a scanned document containing all necessary signatures; b) representing the consent of the other parties on the document; c) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than three business days after filing; or d) in any other manner approved by the court. (Civ and Crim Admin Proc II.C.3).

9. Text-only orders are explicitly permitted. (Civ and Crim Admin Proc II.E.1, .5).

10. Hyperlinks are permitted, but only to other portions of the same document or to a location on the Internet that contains a source document for citations. Hyperlinks to cited authority do not replace standard citation format; complete citations must still be included in the text of the filed document. (Civ and Crim Admin Proc II.J).

11. Exhibits and attachments must be filed electronically. An electronically filed index of evidence should be used to identify the evidence in support of a motion. Relevant excerpts of documents used as evidence must be filed rather than the entire documents. Evidentiary materials that were not electronically generated must be scanned into PDF files no larger than 3 MB. Electronically-generated evidentiary materials should also be placed in PDF files no larger than 3 MB. (Civ and Crim Admin Proc IV.A-C).